

MEMO ENDORSED

August 26, 2022

Gregg L. Weiner
Ropes & Gray LLP
1211 Avenue of the Americas
New York, NY 10036

Michael N. Ungar
Ulmer & Berne LLP
1660 W. 2nd Street, Ste. 1100
Cleveland, Ohio 44113

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BY CM/ECF & HAND DELIVERY

The Honorable Lewis A. Kaplan
U.S. District Court Judge
for the Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

SO ORDERED


LEWIS A. KAPLAN, USDJ

4/4/23

Re: *Terra Towers Corp. et al. v. Telecom Business Solution et al.*

Your Honor:

Undersigned counsel represent Respondents Telecom Business Solution, LLC and LATAM Towers, LLC (collectively, "Peppertree"), and AMLQ Holdings (Cay), Ltd. ("AMLQ," together with Peppertree, "Peppertree/AMLQ" or "Respondents") in the above-captioned action (the "Action").

On August 19, 2022, Petitioners Terra Towers Corp., TBS Management, S.A., and DT Holdings, Inc. (collectively, "Petitioners") filed this Action *under seal* in the Supreme Court of the State of New York, New York County, Case No. 652992/2022. On August 26, 2022, Peppertree/AMLQ filed a Notice of Removal, removing this Action to this Court pursuant to 9 U.S.C. § 205. Peppertree/AMLQ intend to file with their Notice of Removal "a copy of all process, pleadings, and orders served upon [them]" in the state court action (the "State Court Documents"), as required by 28 U.S.C. § 1446. Pursuant to Federal Rule of Civil Procedure 5.2(d), Peppertree/AMLQ respectfully seek leave to file the forthcoming Declaration of Gregg L. Weiner in Support of their Notice of Removal (the "Weiner Declaration"), and State Court Documents attached thereto, under seal, given the confidentiality order governing the underlying arbitration, the confidentiality provisions of the parties' governing documents, and the state court's order that the State Court Documents remain sealed pending a September 20, 2022 hearing before the state court.

By way of background, this Action relates to the American Arbitration Association matter of *Telecom Business Solution, LLC et al. v. Terra Towers Corp. et al.*, AAA Case No. 01-21-0000-4309 (the "Arbitration"). In a procedural order issued in August 2021, the Tribunal of the Arbitration ordered:

The Parties shall treat the details of the Arbitration as private and confidential, except to the extent necessary to comply with mandatory applicable laws, including